



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Geoffrey Lohmeyer :
and Joseph Pirozek, Chief of Land :
Acquisition and Design (PC2984B), :
Ocean County :

Examination Appeals

CSC Docket Nos. 2022-338 and 2022- :
361 :

ISSUED: OCTOBER 12, 2021 (SLK)

Geoffrey Lohmeyer and Joseph Pirozek appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the education and/or experience requirements for the promotional examination for Chief of Land Acquisition and Design (PC2984B), Ocean County. These appeals have been consolidated due to common issues presented.

The subject examination’s closing date was December 21, 2020. The education requirement was a Bachelor’s degree with a major course of study in forestry, landscape architecture, park planning, park management, park and recreation administration or horticulture. The experience requirements were four years of professional experience in the planning, design and development of public parks or public recreation areas, two of which shall have been in a supervisory capacity. Possession of a Master’s degree in forestry, landscape architecture, park planning, park management, park and recreation administration or horticulture could be substituted for one year of the above experience. A total of three employees applied and all were found ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On Lohmeyer’s application, he indicated that he possessed a Bachelor’s degree in horticulture. He also indicated that he was a County Park Manager from August 2019 to the December 21, 2020 closing date, a Senior Horticulturist from October 2017 to August 2019, and a Grower for Garden State Growers from

February 2007 to January 2008. Personnel records indicate that he was a County Parks Manager from June 2019 to the December 21, 2020 closing date, a Senior Horticulturist from August 2015 to June 2019, and a Horticulturist from March 2008 to August 2015. Agency Services credited him with having met the education requirement, but determined that he lacked four years of general experience and two years of supervisory experience.

On Pirozek's application, he indicated that he possessed a Bachelor's degree in Environmental Science. He also indicated that he was provisionally serving in the subject title from October 2020 to the December 21, 2020 closing date, a Recreation Supervisor from August 2017 to October 2020, a Recreation Program Coordinator from October 2012 to August 2017, a Recreation Leader from November 2005 to October 2012, and a Junior Environmental Scientist for GES from July 2004 to November 2005. Agency Services determined that he lacked the required degree and he lacked four years of general experience and two years of supervisory experience.

On appeal, Lohmeyer presents his experience as a County Park Manager, Senior Horticulturist, and Horticulturist, which he believes gives him nearly 13 years of experience by the subject examination closing date. Further, he states that he has served in a supervisory capacity for approximately five years. Lohmeyer submits an outline of his duties as a County Park Manager and Senior Horticulturist. He highlights certain duties as a County Park Manager, including his supervisory duties, park development, landscape projects, management of Natural Land Trust Properties, Barnegat Branch Trail, grants, and county bids.

Pirozek presents his experience since 2005, which includes his provisional service in the subject title, Recreation Supervisor, Recreation Program Coordinator, and Recreation Leader. He attached his resume, which describes his duties and lists the projects that were completed before the closing date.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

N.J.A.C. 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals.

In this matter, a review of Lohmeyer's and Pirozek's applications and appeals indicate that Agency Services correctly determined that they were not eligible for the subject examination. Regarding Lohmeyer, Agency Services credited him with having met the education requirement, but determined he lacked the required general and supervisory experience. In reviewing his experience as a County Park

Manager, while he may have been performing the required duties in this title, these duties would be considered out-of-title. Further, he has not provided any confirmation of out-of-title duties from the appointing authority. Moreover, even if he had, this experience would only provide one year and five months of experience as of the December 21, 2020 closing date. Moreover, a review of his application and appeal does not clearly indicate that he planned, designed and developed public parks or public recreation areas in his other positions.

Concerning Pirozek, his Bachelor's degree is in Environmental Studies, which is not one of the required areas of study. If a specialized degree is required and there is no substitution clause, the education requirement is independent from the experience requirement and a candidate must satisfy both in order to be determined eligible. See *In the Matter of Bonnie Teman* (MSB, decided June 16, 1998). Therefore, he is not eligible for the subject examination based on his inability to meet the education requirement alone. Further, if Pirozek were to claim that his Environmental Science degree was the equivalent of one of the required major courses of study, he would need to provide confirmation from an accredited college that it would accept his degree for that course of study, which he has not provided.

Regardless, even if Pirozek met the education requirement and clearly demonstrated that he was performing the required duties during his provisional service, this would only have been one year and three months of the required experience. Moreover, his other positions with the appointing authority were in various recreation titles. Therefore, Pirozek was either not performing the required duties in these titles, or if he was, these would be out-of-title duties and he has not provided any confirmation from the appointing authority that he performed the required duties while serving out-of-title.

Finally, Agency Services did not credit Pirozek for his provisional service and his application and appeal do not clearly indicate that he is performing the required duties. Therefore, it is unclear if the subject title is the appropriate title for the position that the appointing authority wishes to fill. Accordingly, the classification of Pirozek's position is referred to Agency Services for review.

ORDER

Therefore, it is ordered that these appeals be denied. Further, the classification of Joseph Pirozek's position is referred to the Division of Agency Services for review.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 6TH DAY OF OCTOBER, 2021

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